

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: AVOIDED COSTS	DOCKET NO. INU-2014-0001
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**ORDER GRANTING REQUEST FOR CONFIDENTIALITY
FILED MAY 23, 2014**

(Issued June 3, 2014)

On May 23, 2014, Interstate Power and Light Company (IPL) filed with the Utilities Board (Board) a request for confidentiality of proprietary Electric Generation Expansion Analysis System (EGEAS) manuals and certain information related to the actual EGEAS runs. IPL filed the information in response to the Board's April 22, 2014, order requiring additional information. In addition to the EGEAS manuals, the information for which confidentiality is sought includes, among other things, IPL's fuel and capacity costs. IPL supported the request for confidentiality with an affidavit by a corporate officer. The material for which confidentiality was requested was filed separately and marked confidential. IPL cited Iowa Code §§ 22.7(3) and 22.7(6) (2013) as authority for confidential treatment of the data.

IPL claims the information is a report to a governmental agency that, if released, would give advantage to competitors and serve no public purpose and, therefore, should be held confidential pursuant to § 22.7(6). With respect to the EGEAS manuals, IPL states that it obtained those pursuant to a licensing agreement

which prohibits their disclosure. IPL notes that if it violated this agreement, EGEAS and other vendors with proprietary interests in their product would be discouraged from doing business with IPL.

With respect to the data, IPL states that it secures competitive bids for additional capacity and energy procurements and disclosure would give competitors an undue advantage in negotiations and discourage low bids. IPL notes that discouraging low bids would increase costs to IPL's ratepayers.

The information in question qualifies as a report to a government agency. Based on the affidavit supplied by IPL, release of such information would serve no public purpose. Therefore, the Board will hold the information confidential pursuant to Iowa Code § 22.7(6).

The filed information may also be confidential as a trade secret pursuant to Iowa Code §§ 22.7(3) and 550.2(4). However, because the Board finds the information should be held confidential under § 22.7(6), the Board does not reach the question of whether the information is a trade secret or a communication not required by law.

IT IS THEREFORE ORDERED:

1. The request for confidentiality filed by Interstate Power and Light Company on May 23, 2014, is granted.

2. The filed information shall be held confidential by the Board subject to the provisions of 199 IAC 1.9(8)"b"(3).

UTILITIES BOARD

/s/ Elizabeth S. Jacobs

/s/ Nick Wagner

ATTEST:

/s/ Joan Conrad
Executive Secretary

/s/ Sheila K. Tipton

Dated at Des Moines, Iowa, this 3rd day of June 2014.